

THURSDAY, MAY 6, 1982

NINETIETH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The preceedings were opened with prayer by Representative Don Dills of Dyer County.

Representative Dills led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

The Speaker announced that Representative Buck was excused because of a previous business committment.

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REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following resolutions on the Consent Calendar for Thursday, May 6, 1982: House Resolution No. 163, House Joint Resolutions Nos. 469, 482, 484 and 486, and Senate Joint Resolutions Nos. 281, 282 and 283.

GILL, Chairman.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1740.

BRAGG, Chairman.

Under the rules, House Bill No. 1740 was transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 6, 1982: House Bills Nos. 2253, 1740, 1991 and 1939.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1771, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Ford, House Bill No. 1771 was returned to the Senate as requested.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

2392--To amend Charter, Henderson;

2397--To amend Chapter 244, Private Acts, 1982; both substituted

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for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Withers moved that House Bill No. 2088 be re-called from the Committee on Calendar and Rules, which motion failed by the following vote:

Ayes	19
Noes	38
Present and not voting	9

Representatives voting aye were: Carter, Cobb, Davidson, DeBerry, Gaia, Harrill, Hurley, Jared, Jones, Kernell, King (Shelby), Murphy (Shelby), Owen, Pruitt, Robinson (Hamilton), Serverance, Smith, Sterling and Withers--19.

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Burnett, Byrd, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Ford, Frensley, Gill, Henry (Blount), Hillis, Huskey, Johnson, Kelley, King (Washington), Lashlee, McNally, Miller, Montgomery, Murray, Naifeh, Phillips, Rhinehart, Richardson, Robertson, Robinson (Washington), Sir, Stallings, Wallace, Webb, Whitson, Wood and Yelton--38.

Representatives present and not voting were: Clark (Davidson), Covington, Duncan, Ellis, Percy, Shockley, Starnes, Turner and Wolfe--9.

CALENDAR

Mr. King (Shelby) moved that House Bill No. 2268 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Byrd moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 489 out of order, which motion prevailed.

House Joint Resolution No. 489--Relative to congratulating Representative Chris Turner on birth of child--By Byrd.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Byrd, the resolution was adopted.

A motion to reconsider was tabled.

On motion, the rules were suspended for introduction of the following resolutions.

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INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 488--Relative to congratulating Kathy Roberts--By Shockley.

House Joint Resolution No. 490--Relative to honoring memory of Dr. William Jackson--By Work and Mr. Speaker McWherter.

House Joint Resolution No. 491--Relative to congratulating the Dixie Ponytail Softball team--By Work.

House Resolution No. 165--Relative to congratulating Miss Ellen Crain--By Lashlee, Naifeh, Davis(Gibson), Dills, Johnson, Stallings, Tanner and Mr. Speaker McWherter.

The Speaker announced that House Joint Resolutions Nos. 488, 490 and 491, and House Resolution No. 165 would be placed on the Consent Calendar.

CONSENT CALENDAR

House Resolution No. 163--Relative to commending Phillip Wayne Bolus.

House Joint Resolution No. 469--Relative to congratulating John Seigenthaler.

House Joint Resolution No. 482--Relative to urging Department of Transportation to erect certain signs.

House Joint Resolution No. 484--Relative to memory Jeff Hester.

House Joint Resolution No. 486--Relative to congratulating Jack Gunter.

Senate Joint Resolution No. 281--Relative to honoring Dortch Oldham.

Senate Joint Resolution No. 282--Relative to memory Len G. Broughton, Jr.

Senate Joint Resolution No. 283--Relative to commending Herman E. Baggenstoss.

House Joint Resolution No. 488--Relative to congratulating Kathy Roberts.

House Joint Resolution No. 490--Relative to honoring memory of Dr. William Jackson.

House Joint Resolution No. 491--Relative to congratulating the Dixie Ponytail Softball team.

House Resolution No. 165--Relative to congratulating Miss Ellen Crain.

Mr. Gill moved that all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the purpose of considering House Resolution No. 166 out of order, which motion failed by the following vote:

Ayes	54
Noes	36
Present and not voting	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--54.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--36.

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Representatives present and not voting were: Small and Wallace--2.

CALENDAR

Senate Bill No. 1639--To amend Title 64, Chapter 11, Code.

Mr. Murphy (Davidson) moved that Senate Bill No. 1639 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives voting no were: Chiles, King (Washington) and McKinney--3.

A motion to reconsider was tabled.

Senate Bill No. 1473--To regulate payroll deductions, certain dues.

Mr. Davis (Hamilton) moved that Senate Bill No. 1473 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1473 by deleting from the amendatory language of Section 1 as amended by House State and Local Government Committee Amendment No. 1, the words "take breaks or" from the second and third sentences.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1473 by inserting the following language in the first sentence of the amendatory language of Section 1 as amended by House State and Local Government Committee Amendment No. 1, after the word "organization" and before the word "qualified":

which meets all the requirements of subsection (a) of this section and which is

On motion, the amendment was adopted.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1473 by adding the following language as a new section immediately preceding the effective date section, renumbering the effective date section accordingly:

Section _____. Any such authorized association or organization under the provisions of this act or any of its employees shall not restrain, coerce, or harass state employees in the exercise of rights granted by this act. Any employee alleging a violation of this section may file a grievance in the same manner as the filing of other grievances under Tennessee Code Annotated, Section 8-30-328. All provisions and regulations applicable to hearings and appeals for grievances filed under such section shall also be applicable to grievances filed under this act. Provided, that if any employee is found to have been engaged in such activity, it shall be grounds for such employee to be discharged from the state service.

Mr. Davis (Hamilton) moved that the Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes	38
Noes	46
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Bivens, Bragg, Burnett, Clark (Davidson), Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Sir, Spence, Stallings, Starnes, Wheeler, Work and Mr. Speaker McWherter--38.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Brewer, Carter, Chiles, Clark (Sumner), Davis (Gibson), Duer, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Shelby), King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Pickering,

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Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stafford, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--46.

Representative present and not voting was: Owen--1.

The Amendment No. 3 was adopted by the following vote:

Ayes	49
Noes	39
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Brewer, Carter, Chiles, Clark (Sumner), Copeland, Crain, Davis (Gibson), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Shelby), King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Pickering, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stafford, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--49.

Representatives voting no were: Bell (Wilson), Bivens, Bragg, Burnett, Clark (Davidson), Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Sir, Spence, Stallings, Starnes, Wheeler, Work, Yelton and Mr. Speaker McWherter--39.

Representative present and not voting was: Owen--1.

Thereupon, Senate Bill No. 1473, as amended, passed its third and final consideration by the following vote:

Ayes	51
Noes	42
Present and not voting	1

Representatives voting aye were: Akard, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Spence, Stallings, Starnes, Turner, Wheeler, Withers, Work, Yelton and Mr. Speaker McWherter--51.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Owen, Percy, Pickering, Robertson, Robinson (Washington),

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Scruggs, Severance, Shirley, Smith, Stafford, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--42.

Representative present and not voting was: Sir--1.

A motion to reconsider was tabled.

Mr. Wheeler asked to be recorded as changing his vote from "aye" to "no" on Senate Bill No. 1473.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 2375--To authorize tax, certain products, Roane County.

Mr. Henry (Roane) moved that House Bill No. 2375 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

Representative voting no was: Hudson--1.

A motion to reconsider was tabled.

STATEMENT ON HOUSE BILL NO. 2375

I am withdrawing amendment #1 because I feel that if HB 2375 were enacted with amendment #1 the county commission would not pass this bill. I strongly feel that an extremely inequitable situation still exists regarding the establishment of a special school system in Roane County. However, I feel that the county commission will act responsibly in the future to correct this situation.

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I have conferred with Representative Henry and others and they are aware of my concerns regarding the extremely unfair loss of revenue imposed on the Oak Ridge School System caused by the establishment of a public school pupil transportation fund under TCA 49-614.

REPRESENTATIVE RANDY McNALLY

AMENDMENT NO. 1

Amend House Bill No. 2375 by adding the following as a new Section 8 immediately preceding the local approval clause, and by renumbering subsequent sections accordingly:

SECTION 8. From the funds obtained under the provisions of this act, an amount of money shall be earmarked and allocated to the city of Oak Ridge for the operation of its school system equal to the proportion of the revenues such city would receive if the special tax levy assessed and set aside in the "public school pupil transportation fund" pursuant to Tennessee Code Annotated, Section 49-614, were shared to such city on the basis of per pupil average daily attendance.

AND FURTHER AMEND by deleting the second sentence of Section 1 in its entirety and by substituting instead the following language:

The tax shall be levied for the use and benefit of Roane County and the city of Oak Ridge as provided in Section 8, and except for the allocation of revenues to such city as provided in such section all other revenues collected from the tax except deductions for administration and collection provided for herein, shall be allocated to the Roane County Highway Department.

AND FURTHER AMEND by deleting the last sentence of the first paragraph of Section 6 in its entirety, and by substituting instead the following:

The revenues as allocated in accordance with the provisions of this act shall become a part of the highway fund of Roane County for the use and benefit of the County Road Department, or part of the funds of the city of Oak Ridge for the operation of its school system, subject to appropriation by the county legislative body.

House Bill No. 1740--To authorize issuance, certain bonds.

On motion, House Bill No. 1740 was made to conform with Senate Bill No. 1927.

On motion, Senate Bill No. 1927, on same subject, was substituted for House bill No. 1740.

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Mr. Henry (Blount) moved that Senate Bill No. 1927 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1927 by deleting from Section 1 the words and figures:

"Thirty Million, Five Hundred Thousand (\$30,500,000.00) Dollars"

and substituting in lieu thereof the words and figures:

"Seventeen Million, Five Hundred Thousand (\$17,500,000.00) Dollars"

AND FURTHER AMEND by deleting from Section 4 the following words and figures in the following sub-sections:

1. Four Million, Nine Hundred, Ninety-One Thousand (\$4,991,000.00) Dollars
3. Twelve Million, One Hundred, Seven Thousand (\$12,107,000.00) Dollars

and substituting in lieu thereof the words and figures in the following subsections:

1. Two Million, Thirty Thousand (\$2,030,000.00) Dollars
3. Two Million, Sixty-Eight Thousand (\$2,068,000.00) Dollars

AND FURTHER AMEND by inserting a new SECTION 10 to read:

SECTION 10. It is the legislative intent that:

1. The funds appropriated to the State Building Commission in Section 4, item 1 of this Act shall be supplemented from funds previously appropriated to the State Building Commission in an amount sufficient to provide for an office building facility at Sixth and Deaderick streets in Nashville.
2. The funds appropriated to the Department of Correction in Section 4, item 3 of this Act shall be expended for the construction of four (4) dormitories and two (2) regional work camps. The dormitories shall be located at Fort Pillow State Prison or at such site or sites to be approved by the State Building Commission. One regional work camp shall be located at Morgan County. The other regional work camp shall be located at

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Bledsoe County, or in upper East Tennessee, or at such other site as approved by the State Building Commission.

AND FURTHER AMEND by renumbering the subsequent sections accordingly.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1927, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1991--To set state senatorial districts.

On motion, House Bill No. 1991 was made to conform with Senate Bill No. 2072.

On motion, Senate Bill No. 2072, on same subject, was substituted for House Bill No. 1991.

Mr. Burnett moved that Senate Bill No. 2072 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, McAfee, McKinney, McNally, Martin, Montgomery, Moore,

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Murphy (Davidson), Murphy (Shelby), Murray, Percy, Phillips, Pickering, Pruitt, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: Crain, King (Washington), Naifeh and Rhinehart--4.

A motion to reconsider was tabled.

House Bill No. 1939--To regulate department of correction.

On motion, House Bill No. 1939 was made to conform with Senate Bill No. 2008.

On motion, Senate Bill No. 2008, on same subject, was substituted for House Bill No. 1939.

Mr. Love moved that Senate Bill No. 2008 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Wolfe moved that House Bill No. 2201 be re-referred to the Committee on Calendar for Calendar and Rules, which motion prevailed.

MOTION FILED UNDER RULE NO. 52

MR. SPEAKER: I wish to advise the House that at a later date I will make a motion to recall House Bill No. 697 from the Committee on Calendar and Rules for the purpose of placing said bill on the

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Calendar for third and final consideration, as provided for in Rule No. 52.

REPRESENTATIVE ALVIN KING

Under the rules, the motion lies over.

Mr. McKinney moved that the House stand in recess for 1 hour, which motion failed.

FURTHER CONSIDERATION OF MOTION FILED UNDER RULE NO. 52

Mr. Smith moved that House Bill No. 1752 be recalled from the Committee on Calendar and Rules.

Mr. Wallace moved the previous question, which motion prevailed by the following vote:

Ayes	62
Noes	25
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Byrd, Carter, Chiles, Clark (Davidson), Covington, Davis (Pickett), DeBerry, DePriest, Duer, Duncan, Ford, Frensley, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Shelby), Naifeh, Owen, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Yelton--62.

Representatives voting no were: Bell (Wilson), Burnett, Clark (Sumner), Crain, Davidson, Davis (Gibson), Dills, Disspayne, Ellis, Gaia, Gill, Johnson, Kent, Love, McKinney, Murphy (Davidson), Murray, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Sir, Stallings and Work--25.

Representative present and not voting was: Mr. Speaker McWherter--1.

Thereupon, the motion to recall House Bill No. 1752 from the Committee on Calendar and Rules prevailed by the following vote:

Ayes	66
Noes	30

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Brewer, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ford, Frensley,

Gaia, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kernell, King (Shelby), King (Washington), Love, McAfee, Martin, Miller, Montgomery, Murphy (Shelby), Owen, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stafford, Starnes, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Yelton--66.

Representatives voting no were: Bell (Wilson), Bragg, Burnett, Davis (Gibson), Davis (Hamilton), Dills, Ellis, Gill, Hillis, Johnson, Kent, Lashlee, McKinney, McNally, Moore, Murphy (Davidson), Murray, Naifeh, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Stallings, Sterling, Tanner, Work and Mr. Speaker McWherter--30.

Under the rules, House Bill No. 1752 was placed at the heel of the Calendar.

FURTHER CONSIDERATION OF MOTION FILED UNDER RULE NO. 52

Mr. Smith moved that House Bill No. 2058 be recalled from the Committee on Calendar and Rules.

Mr. McKinney moved that the motion be tabled, which motion failed by the following vote:

Ayes	24
Noes	67
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Bragg, Burnett, Covington, Davidson, Davis (Gibson), DePriest, Dills, Gill, Hillis, Lashlee, McKinney, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Phillips, Rhinehart, Shirley, Sir, Stallings, Tanner, Work and Mr. Speaker McWherter--24.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Brewer, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davis (Pickett), Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), McAfee, McNally, Martin, Miller, Montgomery, Moore, Owen, Percy, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stafford, Sterling, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Yelton--67.

Representative present and not voting was: Robinson (Hamilton)--1.

Thereupon, the motion to recall House Bill No. 2058 from the Committee on Calendar and Rules prevailed by the following vote:

Ayes	59
Noes	30
Present and not voting	1

Representatives voting aye were: Akard, Bell (Knox), Bewley, Bivens, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davis (Pickett), DeBerry, Duer, Duncan, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Jones, Kernell, King (Shelby), King (Washington), McAfee, McNally, Martin, Miller, Montgomery, Moore, Owen, Percy, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Yelton--59.

Representatives voting no were: Baker, Bell (Wilson), Bragg, Brewer, Burnett, Covington, Davidson, Davis (Gibson), Dills, Disspayne, Gill, Hillis, Johnson, Kelley, Kent, Lashlee, Love, McKinney, Murphy (Davidson), Murray, Naifeh, Phillips, Pickering, Rhinehart, Shirley, Sir, Spence, Stallings, Tanner, Work and Mr. Speaker McWherter--30.

Representative present and not voting was: Robinson (Hamilton)--1.

Under the rules, House Bill No. 2058 was placed at the heel of the Calendar.

House Bill No. 2253--To apportion state representative districts.

Mr. Burnett moved that House Bill No. 2253 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2253 by deleting Sections 1 through 11 in their entirety and substituting instead the following:

SECTION _____. Tennessee Code Annotated, Section 3-1-103(d), is amended by deleting from the description of the Eightieth State Representative District, the words and figures "In Fayette County, all of Fayette Corners Census Division and all of Moscow-LaGrange Census Division except enumeration districts 618, 619 and 620" and and by substituting instead "In Fayette County, civil districts 2, 12, 13 and 15".

SECTION _____. Tennessee Code Annotated, Section 3-1-103(d), is amended by deleting from the description of the Ninety-fifth State Representative District, the words and figures "In Fayette County, all of Rossville Census Division and enumeration districts 629 and 627A" and by substituting instead "In Fayette

County, civil districts 7, 9, 10 and 11".

SECTION _____. Notwithstanding the provisions of Tennessee Code Annotated, Section 2-3-102 to the contrary, the county election commission shall make such changes in the boundaries of precincts as may be necessitated by this act prior to any election held after the effective date of this act.

SECTION _____. Tennessee Code Annotated, Section 3-1-103 (d), is amended by deleting from the description of the Sixty-eighth State Representative District, the words and figures "In Humphreys County, commission district 7 and the South McEwen voting precinct of commission district 6".

SECTION _____. Tennessee Code Annotated, Section 3-1-103 (d), is amended by adding to the description of the Sixty-ninth State Representative District the following words and figures: "In Humphreys County, commission district and the South McEwen voting precinct of commission district 6".

SECTION _____. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2253, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representative present and not voting was: Duncan--1.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 2055 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

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Mr. Sir moved that House Bill No. 2272 be held under Unfinished Business, which motion prevailed.

House Bill No. 2400--To provide for Probate and Juvenile jurisdiction, Scott County.

Mr. Davis (Pickett) moved that House Bill No. 2400 be passed on third and final consideration.

Mr. Davis (Pickett) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2400 by deleting Section 3 in its entirety and by renumbering the subsequent sections accordingly.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2400, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Yelton moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 247 out of order, which motion prevailed.

Senate Joint Resolution No. 247--Relative to study, credit transactions and statutes.

Mr. Yelton moved that Senate Joint Resolution No. 247 be concurred in, which motion prevailed by the following vote:

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Ayes	81
Noes	6
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton--81.

Representatives voting no were: Chiles, Cobb, Gill, King (Washington), Scruggs and Spence--6.

Representative present and not voting was: Duncan--1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

286--Relative to requesting funds, mine safety school; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

2204--To provide for board of commissions, certain utility districts;

2324--To amend Road Law, Van Buren County; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2375; and House Joint Resolutions Nos. 469, 482, 484, 486, 488, 489, 490 and 491; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2392 and 2397; and House Resolutions Nos. 160, 161, 162 and 164; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 2392 and 2397; and House Resolutions Nos. 160, 161, 162 and 164.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 492--Relative to congratulating Linda Guthrie and Melinda Howser--By Murphy (Davidson).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Murphy (Davidson), the resolution was adopted.

A motion to reconsider was tabled.

House Resolution No. 167--Relative to congratulating Mr. and Mrs. Foster Douglas--By Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

2452--To regulate probate jurisdiction, Carter County; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

287--Relative to commending Senator Bill Jim Davis; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

2375--To levy tax, certain severed products, Roane County;

2384--To amend Chapter 218, Private Acts, 1974; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2253 and 2400; and House Joint Resolution No. 492; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2204, 2324 and 2384; and find same

correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 2204, 2324 and 2384.

Mr. McKinney requested that Rule No. 74 be invoked.

The Speaker called for a roll call on the question which was taken with the following results:

Ayes	38
Noes	48
Present and not voting	1

Representatives voting aye were: Bragg, Chiles, Cobb, Crain, Davidson, Davis (Hamilton), DeBerry, Dills, Duer, Ellis, Gaia, Gill, Hillis, Johnson, Lashlee, Love, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robinson (Hamilton), Shirley, Sir, Spence, Starnes, Turner, Wallace, Wheeler, Withers and Work--38.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Brewer, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Davis (Gibson), Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), McAfee, McNally, Montgomery, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Stallings, Sterling, Tanner, Webb, Whitson, Wix, Wolfe, Wood and Yelton--48.

Representative present and not voting was: Mr. Speaker McWherter--1.

The Speaker ruled that pursuant to Rule 74, the House would stand in recess for lunch until 2:00 p.m.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

House Bill No. 1752--To regulate and control billboards.

Mr. Smith moved that House Bill No. 1752 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1752 by adding the following new section immediately preceding the final section and by renumbering the final section accordingly:

SECTION _____. Tennessee Code Annotated, Section 54-21-118, is amended by adding the following language to the end of the section:

Provided, however, valid permits for outdoor advertising structures located along Interstate Route 640 in Knox County issued prior to the effective date of this act shall remain valid after its effective day and the holders of such permits shall be permitted to construct, reconstruct, maintain or repair such structures according to the original application for which a permit was issued.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1752, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representative present and not voting was: Carter--1.

A motion to reconsider was tabled.

House Bill No. 2058--To regulate advertising, Scenic Highway System.

Mr. Smith moved that House Bill No. 2058 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2058 by redesignating Section 2 to be Section 4, and by adding two new sections thereto, as follows:

SECTION _____. Tennessee Code Annotated, Section 54-17-108, is amended by adding a new subsection thereto, as follows:

SECTION _____. Signs that identify, direct the public or relate to the location or meetings of nonprofit service clubs or charitable associations or religious services shall not be affected by the provisions of this chapter if such signs are one hundred square feet (100 sq. ft.) or less in size or were in existence prior to the effective date of this act.

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2058, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representative present and not voting was: Spence--1.

A motion to reconsider was tabled.

Mr. Percy moved that the rules be suspended for the purpose of considering House Bill No. 2406 out of order, which motion prevailed.

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House Bill No. 2406--To vest probate jurisdiction, Carter County.

On motion, House Bill No. 2406 was made to conform with Senate Bill No. 2452.

On motion, Senate Bill No. 2452, on same subject, was substituted for House Bill No. 2406.

Mr. Percy moved that Senate Bill No. 2452 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --92.

A motion to reconsider was tabled.

Mr. Brewer moved that House Bills Nos. 1151 and 2084 be placed at the heel of Unfinished Business, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2400--To provide for probate and juvenile jurisdiction, Scott County; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

The Speaker announced that Representative Moore was excused for the remainder of today's session.

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FURTHER CONSIDERATION OF SENATE BILL NO. 1485

Senate Bill No. 1485--To prohibit reflectorized windows, motor vehicles.

Mr. Davis (Hamilton) moved that the motion to reconsider Senate Bill No. 1485 be lifted from the table, which motion prevailed.

Mr. Davis (Hamilton) moved that the House reconsider its action in passing Senate Bill No. 1485 on third and final consideration, as amended, which motion prevailed.

Mr. Davis (Hamilton) moved that the House reconsider its action in adopting Amendments Nos. 2 and 1, which motion prevailed.

Mr. Davis (Hamilton) moved that Amendments Nos. 1 and 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 1485, passed its third and final consideration by the following vote:

Ayes	91
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representative voting no was: Robertson--1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 1532

Senate Bill No. 1532--To provide dental insurance coverage, education employees.

Mr. Lashlee moved that the House pass Senate Bill No. 1532, notwithstanding the objections of the Governor, which motion prevailed by the following vote:

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Ayes	61
Noes	25
Present and not voting	5

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Washington), Lashlee, McKinney, McNally, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Shockley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wallace, Wheeler, Whitson, Withers, Wix, Yelton and Mr. Speaker McWherter--61.

Representatives voting no were: Baker, Bewley, Carter, Chiles, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensey, Henry (Roane), Hudson, McAfee, Martin, Robertson, Robinson (Washington), Scruggs, Severance, Smith, Stafford, Sterling, Ussery, Webb, Wolfe and Wood--25.

Representatives present and not voting were: Brewer, Harrill, Jones, King (Shelby) and Montgomery--5.

A motion to reconsider was tabled.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 1575

The House and Senate Conference Committees appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1987/House Bill No. 1575 have met and recommend that Senate Amendments 5 and 6 be deleted and that House Amendments 1, 2, 3 and 4 be adopted.

It is further recommended that the bill be amended by adding the following as a new section immediately preceding the effective date section, renumbering the effective date section accordingly:

SECTION ____ . Tennessee Code Annotated, Section 56-8-104, is amended by adding the following as a new item to be appropriately numbered:

() In addition to the practices described in item (11), the commissioner shall establish by regulation additional requirements with respect to replacement transactions which are effected by a life insurance agent who has been licensed less than one hundred twenty (120) days. Such additional requirements shall include a prohibition against such agent taking an application for a life insurance policy in a replacement transaction prior to the existing company receiving reasonable notice of the

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proposed transaction.

Respectfully submitted,

FOR THE SENATE

FOR THE HOUSE

Senator John Hicks

Representative Harold Love
Representative James R. McKinney
Representative Charles M. Severance

Mr. Severance moved that the Report of the Conference Committee on House Bill No. 1575 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

252--To amend Local Option Act.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MAJORITY REPORT OF CONFERENCE COMMITTEE ON
SENATE BILL NO. 252**

The Senate and House Conference Committees appointed pursuant to motions duly passed to resolve differences between the two houses on

Senate Bill No. 252/House Bill No. 474 have met and recommend that House Amendments 1, 17, 18, and 19 be adopted; that Senate amendments 1, 2, and 5 as well as House amendments 2, 3, and 4 be deleted in their entirety, and that Section 3 be amended to delete the subsection designation "(d)" as it appears in the directory language and in the amendatory language and substituting instead the designation "(b)".

FOR THE SENATE

Senator John N. Ford
Senator Joe L. Crockett
Senator James H. White

FOR THE HOUSE

Representative Joe W. Bell
Representative Ted Ray Miller
Representative Ed Murray
Representative Sharon Bell

Mr. Miller moved that the Majority Report of the Conference Committee on Senate Bill No. 252 be adopted and made the action of the House.

**MINORITY REPORT OF THE CONFERENCE COMMITTEE ON
SENATE BILL NO. 252**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 252/House Bill no. 474 have met and recommend that all the language of the bill following the enacting clause, including all amendments, be deleted and that the following language be substituted in lieu thereof:

SECTION 1. Tennessee Code Annotated, Section 57-4-101, is amended by adding the following as a new subsection to be appropriately designated:

() It shall further be lawful to sell wine and other alcoholic beverages as herein defined and malt beverages as defined in Tennessee Code Annotated, Section 57-6-102, to be consumed on the premises of the terminal building only of a Commercial Air Carrier Airport as defined in this act subject to the further provisions of this chapter, other than Section 57-4-103, and further subject to the prior approval of a majority of the Board of Commissioners or other governing board of such Commercial Air Carrier Airport of such sale in such terminal building.

SECTION 2. Tennessee Code Annotated, Section 57-4-201, is amended by adding the following at the end of subsection (d):

Any person, firm or corporation owning or operating an establishment within the terminal building of a Commercial Air Carrier Airport as defined in this act, desiring to sell wine or other alcoholic beverages for consumption on its premises where food may be served shall make application to the Commission in duplicate on forms furnished by the Commission for permit to do so. No such person, firm or

corporation shall be authorized to engage in making such sales until said permit therefor is approved and issued by the Commission.

SECTION 3. If any of the provisions of this Act, or the application thereof to any person or circumstances, is held invalid, the invalidity does not effect the other provisions or applications of this act which can be given effect without the invalid provision or application, and for that purpose the provisions of this act are severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

FOR THE SENATE

FOR THE HOUSE

Senator Koella
Senator Atchley

Representative M.F. Stafford

Mr. Stafford moved that the Minority Report be substituted for the Majority Report.

Mr. Miller moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	30
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Bewley, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Disspayne, Ellis, Frensley, Gaia, Gill, Jared, Johnson, Kent, Kernell, King (Shelby), Lashlee, Love, McKinney, McNally, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sir, Spence, Stallings, Starnes, Sterling, Tanner, Webb, Wheeler, Whitson, Withers, Wix, Work and Mr. Speaker McWherter--57.

Representatives voting no were: Akard, Baker, Bivens, Carter, Crain, Davis (Gibson), Dills, Duer, Duncan, Ford, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Kelley, McAfee, Montgomery, Percy, Robertson, Severance, Shockley, Small, Smith, Stafford, Ussery, Wallace, Wolfe, Wood and Yelton--30.

Representative present and not voting was: Richardson--1.

Thereupon, the motion to adopt the Majority Conference Committee Report and make it the action of the House prevailed by the following vote:

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Ayes	61
Noes	30
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Bewley, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Disspayne, Ellis, Frensley, Gaia, Gill, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Spence, Starnes, Sterling, Tanner, Webb, Wheeler, Whitson, Withers, Wix, Work and Mr. Speaker McWherter--61.

Representatives voting no were: Akard, Baker, Bivens, Carter, Crain, Davis (Gibson), Dills, Duer, Duncan, Ford, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Kelley, McAfee, Percy, Robertson, Shockley, Small, Smith, Stafford, Stallings, Turner, Ussery, Wallace, Wolfe, Wood and Yelton--30.

Representative present and not voting was: Richardson--1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

288--Relative to commending Jake F. Butcher and Stewart Evans; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 171--Relative to congratulating Dr. Joesph W. Scobey--By Jared and Lashlee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Jared, the resolution was adopted.

A motion to reconsider was tabled.

House Resolution No. 174--Relative to congratulating Mr. and Mrs. William T. Brown--By Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Mr. Wheeler, the resolution was adopted.
A motion to reconsider was tabled.

House Joint Resolution No. 493--Relative to commending Dogan W. Williams--By Love.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Love, the resolution was adopted.
A motion to reconsider was tabled.

House Joint Resolution No. 494--Relative to honoring Cecil Hilgie Butcher, Sr.--By Miller, Owen, Wheeler, Scruggs, Bell (Knox), Smith and Severance.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Miller, the resolution was adopted.
A motion to reconsider was tabled.

House Resolution No. 177--Relative to commending Miss Debbie Edwards--By Crain and Dills.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion, the resolution was adopted.
A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1752 and 2058; and House Joint Resolutions Nos. 493 and 494; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1893--To amend Title 6, Chapter 53, Code;

2253--To apportion state representative districts;

2402--To authorize agreements, enforcement of municipal ordinances; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1419--To amend Section 49-50-102, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 1419

The House and Senate Conference Committee appointed pursuant to motion to resolve the differences between the two houses on Senate Bill No. 1419/House Bill No. 1117 have met and recommend that Senate Amendment 1 and House Amendments 1, 2, and 3, be deleted; and that the bill be further amended by deleting the amendatory language of Section 1 (b) in its entirety and substituting instead the following:

(b) The student member shall have been enrolled in either a public or private institution of higher education in Tennessee for a period of at least two (2) years prior to his appointment. Such student shall have been a recipient of financial assistance pursuant to this chapter. Such student member shall be appointed by the governor for a two (2) year term on a rotating basis among such institutions and systems in accordance with the provisions of this act, commencing on July 1, 1982, and every two (2) years thereafter.

The student member appointed from the University of Tennessee system and the state university and community college system of Tennessee shall be appointed from a list of three (3) nominees prepared and submitted by the governing body of the student government association of the respective institution within the appropriate system in accordance with the rotation schedule established by Section 2 of this act. The names of the three (3) nominees chosen as set out herein shall be certified to the governor by the appropriate head of the institution from which such student is selected, for appointment to such corporation.

The student member appointed by the governor from the private institutions shall be selected from a list of at least four (4) nominees selected as a result of procedures involving students enrolled in member institutions of the Tennessee Council of Private Colleges and the Tennessee Business College Association in accordance with the rotation schedule for private institutions established by Section 2 of this act.

It is further recommended that the bill be amended by deleting Section 2 in its entirety and by substituting instead the following:

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SECTION 2. The student member shall be selected from among the private institutions of higher education in the state, the University of Tennessee system, and the state university and community college system of Tennessee on a six (6) year rotation basis.

The Tennessee Higher Education Commission shall establish a system for rotating the appointments of student members from each of the three (3) enumerated systems, and shall prepare a list of separate institutions within each of such enumerated systems, establishing a rotation schedule for each separate institution within such system from which the student member shall be appointed for the appropriate term of office.

The schedule shall reflect that the rotation from among the three (3) enumerated systems shall be a six (6) year rotation for two (2) year terms of office, and that the separate institutions within the appropriate system shall be placed on a rotation schedule within such system to insure a student appointment from each institution. Once the schedule is initiated, the rotation shall maintain the sequence established in such schedule.

SECTION 3. This act shall take effect July 1, 1982, the public welfare requiring it.

FOR THE SENATE

Senator Victor Ashe
Senator Douglar Henry
Senator John R. Rucker

FOR THE HOUSE

Representative Jim Hudson
Representative Ray Clark
Representative W. S. Owen

Mr. Hudson moved that the Report of the Conference Committee on Senate Bill No. 1419 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

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A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1662--To regulate limitations, certain vehicles.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 1662

The conference committee appointed to resolved the differences between Senate Bill No. 1662/House Bill No. 1579 has met and recommends that House Amendment Nos. 1 and 6 be adopted; that House Amendment No. 2 be adopted with the following changes:

by inserting the words "forest products, unfinished lumber, ferrous and non-ferrous scrap metal, agricultural lime, liquid fertilizer," between the words "other building materials," and "solid waste" in the first amendatory paragraph of Section 1 of such amendment;

that House Amendment No. 3 be adopted with the following changes:

(1) by placing a period after the words "for Class 9 vehicles" in the second sentence of the second amendatory section, and by deleting the remainder of the language from such sentence; and

(2) by deleting the first sentence of the third amendatory section in its entirety, and by deleting the language "including such tolerance," "from the second sentence of the third amendatory section.

It is further recommended that the bill be amended by adding the following as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION _____. A loss of federal funds as a result of any provision of this act shall render such provision void and inoperative.

Respectfully submitted,

FOR THE SENATE

Senaton James E. Elkins

FOR THE HOUSE

Representative Tom Wheeler

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Senator Anna Belle O'Brien

Representative Jim Henry

Representative S. B. Burnett

Mr. Wheeler moved that the Report of the Conference Committee on Senate Bill No. 1662 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	90
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensey, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --90.

Representative voting no was: Montgomery--1.

Representative present and not voting was: Duncan--1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1771--to regulate coon dog training, certain counties.

The Senate lifted tabling motion, reconsidered passage of the bill, adopted S. A. #3, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1771--To regulate coon dog training, certain counties.

SENATE AMENDMENT NO. 3

Amend House Bill No. 1771 by inserting the following new sections immediately before the effective date section and numbering the sections accordingly:

Section _____. Tennessee Code Annotated, Section 51-441, is amended by deleting the following language:

It shall be unlawful for any person to train coon dogs by chasing coons in Cocke County, except that it shall be lawful for licensed kennel clubs in Cocke County to conduct an unlimited number of field trials and all-night hunts for raccoons in Cocke County during the training season specified herein. The training season shall be each Friday and Saturday night of each week from sunset to sunrise on each night. The field trials and all-night hunts shall be chase only and no coons shall be taken except during open season in such county.

and inserting instead the following new language:

Provided, however, it shall be lawful in Cocke County to have a jump-out training season during the period each year from October 9 through November 1, and notwithstanding other provisions of this section, it shall be lawful to train coon dogs in Cocke County at any time of the year except during the period each year from March 1 to May 15, so long as coons are not taken except during open season thereon.

Mr. Ford moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

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HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1918--To make certain provisions, divorcees.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1918 by deleting the amendatory language of Section 1 and substituting instead the following:

Unless there is objection by either party, the court shall grant a divorce on the grounds of irreconcilable differences to both parties in the same decree.

FURTHER AMEND by deleting Section 2 in its entirety.

FURTHER AMEND by deleting Section 3 in its entirety.

FURTHER AMEND by deleting Section 4 in its entirety and substituting instead the following:

SECTION 4. Tennessee Code Annotated, Section 36-817, is amended by adding the following language at the end of the section:

Unless there is objection by either party, a divorce based on irreconcilable differences shall be granted to both parties in the same decree.

FURTHER AMEND by deleting Section 5 in its entirety and substituting instead the following:

SECTION 5. Tennessee Code Annotated, Section 36-819, is amended by adding the following language at the end of the section:

Unless there is objection by either party, a divorce based on irreconcilable differences shall be granted to both parties in the same decree.

Mr. Cobb moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2118--To regulate leasing of property to blind persons.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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Mr. Murphy (Davidson) moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 2118, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2001--To regulate rights, certain police officer during agency investigations.

The Senate refused to recede from its action in noncurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Crockett, Springer and Burleson to confer with a like Committee from the House to resolve the differences of the two bodies on S. B. No. 2001.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Covington moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 2001, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Kent, Covington and Cobb as the Conference Committee on Senate Bill No. 2001.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2214--To amend Chapter 19, Title 48, Code.

The Senate lifted tabling motion, reconsidered passage of bill, reconsidered adoption of House Amendment No. 2, and nonconcurring in House Amendment No. 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 2214

Senate Bill No. 2214--To amend Chapter 19, Title 48, Code.

Mr. Murphy (Davidson) moved that the motion to reconsider Senate Bill No. 2214 be lifted from the table, which motion prevailed.

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Mr. Murphy (Davidson) moved that the House reconsider its action in passing Senate Bill No. 2214 on third and final consideration, as amended, which motion prevailed.

Mr. Murphy (Davidson) moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

Mr. Murphy (Davidson) moved that Amendment No. 2 be withdrawn, which motion prevailed.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 2214 in the amendatory language of Section 6 by substituting the word and figure "Subsection 6" for the word and figure "Subsection 5"; and by substituting the word and figure "Subsection 7" for the word and figure "Subsection 6"; and by substituting the word and figure "Subsection 8" for the word and figure "Subsection 7"; and by deleting subsection (D) in its entirety; and by adding the following new items to Section 6:

(D) Subsection (5) is amended by adding the following new sentence:

Provided, however, no corporation created under this chapter shall finance or undertake any project for any participating institution or for any multi-family housing facility located outside of the grand division boundaries of the creating municipality in which the corporation is located.

(E) By adding the following new paragraph:

(13) To provide (no later than sixty days after the date of any bond sale pursuant to the provisions hereof) by a representative as the corporation may by resolution designate the office of the commissioner of economic and community development, industrial development division, department of economic and community development, the following information:

(1) Identity of the issuing health, educational and housing facility;

(2) Name of lesse or contracting party;

(3) Total amount of bond issue;

(4) Bond interest and maturity schedule; and

(5) Identity of underwriters and financial advisors.

(F) By adding at end of the section, the following new paragraph:

Notwithstanding any other provisions of this chapter, no bonds, except refunding bonds, shall be issued under this chapter to finance a project unless the issuance of such bonds shall have been approved by the commissioner of economic and community development, which approval shall not be unreasonably withheld. Such official, in determining whether or not to approve the issuance of such bonds, shall consider the following:

(a) The availability and comparable cost of other types of financing for such project;

(b) The suitability of the issuance of such bonds by the corporation rather than by an industrial development corporation or some other public body, taking into consideration among other things, market conditions, market acceptability and such changes as may occur from time to time in the U.S. Internal Revenue Code or the regulations thereunder;

(c) If such project is to be leased to a for-profit corporation, whether such proposed lease requires the payment by the corporate or partnership lessee of an amount in lieu of taxes equal to that which would have been payable by such lessee if such lessee were the owner of the project. The municipality shall have the power to delegate to the corporation or partnership the authority to negotiate and accept from the corporation's or partnership's lessees, payments in lieu of ad valorem taxes, provided that any such authorization shall be granted only upon a finding that such payments are deemed to be in furtherance of the corporation's or partnership's public purposes. With regard to any project located within an area designated as the center-city area by a municipality in which there has been created a central business improvement district pursuant to Tennessee Code Annotated, Section 7-84-101 et seq., the amount of such payments shall not be fixed below the lesser of:

(1) Ad valorem taxes otherwise due and payable by a tax paying entity upon the current fair market value of the leased properties; or

(2) Ad Valorem taxes that were or would have been due and payable on the leased properties for the period immediately preceding the date of their acquisition by the corporation.

(d) Whether such project is well conceived and has a reasonable prospect of success.

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On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2214, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF MOTION FILED UNDER RULE NO. 52

Mr. Murphy (Shelby) moved that the rules be suspended for the purpose of recalling House Bill No. 697 from the Committee on Calendar and Rules, which motion failed by the following vote:

Ayes	53
Noes	24
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Cobb, Crain, DeBerry, Dills, Duer, Duncan, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, Martin, Miller, Montgomery, Murphy (Shelby), Percy, Phillips, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Stafford, Stallings, Sterling, Ussery, Webb, Wheeler, Withers, Wix, Wolfe, Wood and Yelton--53.

Representatives voting no were: Bell (Wilson), Bragg, Burnett, Davidson, Davis (Gibson), Disspayne, Ellis, Gill, Hillis, Johnson, Kelley, Lashlee, McKinney, McNally, Murray, Naifeh, Pickering, Richardson, Robinson (Davidson), Shirley, Sir, Tanner, Wallace and Whitson--24.

Representatives present and not voting were: Clark (Davidson), Covington, Rhinehart and Mr. Speaker McWherter--4.

FURTHER CONSIDERATION OF MOTION FILED UNDER RULE NO. 52

Mr. Withers moved that House Bill No. 2088 be recalled from the Committee on Calendar and Rules, which motion failed by the following vote:

Ayes	52
Noes	16
Present and not voting	1

Representatives voting aye were: Akard, Bell (Knox), Brewer, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, DeBerry, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, McKinney, Miller, Montgomery, Murphy (Shelby), Owen, Percy, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Stallings, Sterling, Ussery, Webb, Wheeler, Withers, Wix and Wolfe--52.

Representatives voting no were: Baker, Bewley, Davis (Gibson), Gill, Hillis, Kelley, Lashlee, McAfee, McNally, Murray, Naifeh, Robertson, Sir, Tanner, Wallace and Wood--16.

Representative present and not voting was: Rhinehart--1.

Mr. Turner moved that the rules be suspended for the purpose of introducing House Resolution No. 168 out of order, which motion prevailed.

House Resolution No. 168--Relative to commend Representative Harold Byrd--By Tanner, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Turner, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Turner moved that the rules be suspended for the purpose of introducing House Resolution No. 169 out of order, which motion prevailed.

House Resolution No. 169--Relative to commend Representative Neal Small--By Turner, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Turner, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Stafford moved that the rules be suspended for the purpose of introducing House Resolution No. 170 out of order, which motion prevailed.

House Resolution No. 170--Relative to honor Representative Ralph Duncan--By Stafford, Wolfe, Ussery, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Stafford, the resolution was adopted.

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A motion to reconsider was tabled.

Mr. Johnson moved that the rules be suspended for the purpose of introducing House Resolution No. 172 out of order, which motion prevailed.

House Resolution No. 172--Relative to commending Representative Bill Richardson--By Johnson, Naifeh, Stallings, Murray, Bewley, Webb, Scruggs, Bell (Knox), Bell (Wilson), Akard, Baker, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Johnson, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Resolution No. 173 out of order, which motion prevailed.

House Resolution No. 173--Relative to commending James "Lefty" Akard--By Hillis, Burnett, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Mr. Hillis, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Resolution No. 175 out of order, which motion prevailed.

House Resolution No. 175--Relative to thanking Frank P. Lashlee--By Naifeh, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

Mr. McAfee moved that the rules be suspended for the purpose of introducing House Resolution No. 176 out of order, which motion prevailed.

House Resolution No. 176--Relative to honoring Representative Bill Carter--By McAfee, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McAfee, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 287 out of order, which motion prevailed.

Senate Joint Resolution No. 287--Relative to commending Senator Bill Jim Davis.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Covington moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 286 out of order, which motion prevailed.

Senate Joint Resolution No. 286--Relative to requesting funds, mine safety school.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Murray, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1587--To regulate industrial development bonds.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**REPORT OF THE CONFERENCE COMMITTEE ON
SENATE BILL NO. 1587**

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill

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1587/House Bill 1599 have met and recommend that House amendment 1 be adopted; and that the bill be further amended by inserting immediately before the effective date section, a new section, as follows:

SECTION ____ . Tennessee Code Annotated, Section 7-53-101, subsection (11) (B), is amended by deleting the first paragraph of subsection (11) (B), and substituting instead the following:

In any municipality in which there has been created a Central Business Improvement District pursuant to Chapter 84 of this title, the term "project" shall also mean any hotel, motel or apartment building located within an area designated by appropriate resolution or ordinance by the municipality as the center-city area, or any hotel, motel or apartment building within any area within the creating municipality designated by appropriate resolution or ordinance by such municipality as an area which could provide substantial sources of tax revenues or economic activity to the municipality.

FOR THE SENATE

Senator John T. Hicks
Senator John Ford
Senator Victor Ashe

FOR THE HOUSE

Representative Michael D. Murphy
Representative M. T. Stafford
Representative William S. Owen

Mr. Murphy (Davidson) moved that the Report of the Conference Committee on Senate Bill No. 1587 be rejected, which motion prevailed.

FURTHER CONSIDERATION OF HOUSE BILL NO. 2101

House Bill No. 2101--To amend Title 4, Chapter 15, Code.

Mr. Burnett moved that the House pass House Bill No. 2101, notwithstanding the objections of the Governor, which motion prevailed by the following vote:

Ayes 56
Noes 37

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Wix, Yelton and Mr. Speaker McWherter--56.

Representatives voting no were: Baker, Bell (Knox), Bewley,

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Carter, Chiles, Clark (Sumner), Duer, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--37.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2101--To regulate State Building Commission.

The Senate repassed House Bill No. 2101, the Governor's objections to the contrary notwithstanding.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1739

House Bill No. 1739--General Appropriations Bill.

Mr. Cobb moved that the House pass Section 12, Item 24, of House Bill No. 1739, notwithstanding the objections of the Governor, which motion failed by the following vote:

Ayes	48
Noes	36
Present and not voting	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Byrd, Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Wheeler, Yelton and Mr. Speaker McWherter --48.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Duer, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Sterling, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, and Wood--36.

Representatives present and not voting were: Murphy (Shelby) and Withers--2.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1739

House Bill No. 1739--General Appropriations Bill.

Mr. Murphy (Davidson) moved that the House pass Section 12, Item 18, of House Bill No. 1739, notwithstanding the objections of the Governor, which motion failed by the following vote:

Ayes	42
Noes	41
Present and not voting	6

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Burnett, Byrd, Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Ellis, Hillis, Jared, Johnson, Kernell, Lashlee, Love, McKinney, Miller, Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton) Shirley, Sir, Spence, Stallings, Tanner, Turner, Wheeler, Yelton and Mr. Speaker McWherter--42.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Crain, Dills, Duer, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, McAfee, McNally, Martin, Montgomery, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wix, Wolfe and Wood--41.

Representatives present and not voting were: Brewer, DeBerry, Jones, King (Shelby), Murphy (Shelby) and Withers--6.

NOTICE TO OVERRIDE ITEM VETO

MR. SPEAKER: In accordance with House Rule No. 77, I hereby give notice that at a later date I will move to repass Section 53, the language which reads "In addition to any appropriation made in this act there is hereby appropriated four million nine hundred forty-seven thousand five hundred dollars (\$4,947,500.00) which funds shall be divided according to the following percentages:" of House Bill No. 1739, the Governor's objections to the contrary notwithstanding, as provided in Article III, Section 18 of the Constitution of Tennessee.

REPRESENTATIVE STEVE COBB

FURTHER CONSIDERATION OF HOUSE BILL NO. 1739

House Bill No. 1739--General Appropriations Bill.

Mr. Cobb moved that the House pass Section 53, the language which reads "In addition to any appropriation made in this act there is hereby appropriated four million nine hundred forty-seven thousand five hundred dollars (\$4,947,500.00) which funds shall be divided

according to the following percentages:" of House Bill No. 1739, notwithstanding the objections of the Governor, which motion prevailed by the following vote:

Ayes	50
Noes	37

Representatives voting aye were: Akard, Bivens, Bragg, Brewer, Burnett, Byrd, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, McNally, Miller, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Tanner, Turner, Wallace, Wheeler, Withers, Yelton and Mr. Speaker McWherter--50.

Representatives voting no were: Baker, Bell (Knox), Bell (Wilson), Bewley, Carter, Chiles, Clark (Sumner), Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, McAfee, Martin, Montgomery, Murray, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wix, Wolfe and Wood--37.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1739

House Bill No. 1739--General Appropriations Bill.

Mr. Cobb moved that the House pass Section 12, Item 24, of House Bill No. 1739, notwithstanding the objections of the Governor.

Mr. Henry (Roane) moved that the motion be tabled, which motion failed by the following vote:

Ayes	39
Noes	49
Present and not voting	1

Representatives voting aye were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Davis (Pickett), DePriest, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wix, Wolfe and Wood--39.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Byrd, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, Dills, Disspayne, Ellis, Gaia, Hillis, Jared, Johnson, Kernell, King (Shelby), Lashlee, Love, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt,

Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Small, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Yelton and Mr. Speaker McWherter--49.

Representatives present and not voting was: Jones--1.

Thereupon, the motion to pass Section 12, Item 24 of House Bill No. 1739, notwithstanding the objections of the Governor, prevailed by the following vote:

Ayes	51
Noes	38
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Byrd, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Hillis, Jared, Johnson, Kernell, King (Shelby), Lashlee, Love, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Yelton and Mr. Speaker McWherter--51.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wix, Wolfe and Wood--38.

Representative present and not voting was: Jones--1.

A motion to reconsider was tabled.

Mr. Brewer moved that House Bill No. 1151 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Brewer moved that House Bill No. 2084 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2118--To regulate leasing of property to blind persons.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Henry, White, Crouch and Longley to confer with a like Committee from

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the House to resolve the differences of the two bodies on Senate Bill No. 2118.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy (Davidson) moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 2118, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy (Davidson), Chiles, Starnes an Bell (Knox) as the Conference Committee on Senate Bill No. 2118.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 1587--To regulate industrial development bonds.

Mr. Owen, having voted with the prevailing side on the rejection of the Conference Committee Report on Senate Bill No. 1587, moved that the House reconsider it's action, which motion prevailed.

Mr. Owen moved that the Report of the Conference Committee on Senate Bill No. 1587 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	80
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood and Yelton--80.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

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2391--To allow purchase, certain state property, General Assembly; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2391--To allow purchase, certain state property, General Assembly.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2391 by inserting in Section 1 after the words "General Assembly" the words "within sixty (60) days of the expiration of this term".

Mr. Richardson moved that the House concur in Senate Amendment No., which motion prevailed by the following vote:

Ayes	80
Noes	0
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensey, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McNally, Miller, Montgomery, Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--80.

Representatives present and not voting were: Carter, Duncan and Small--3.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2001--To regulate rights, certain police officer during agency investigations.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON
SENATE BILL NO. 2001

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill 2001/House Bill 1895 have met and recommend that Senate Amendment #1 and House Amendment #4 be adopted; that House Amendment #1 be deleted; and that the bill be further amended by inserting the following new section immediately after Section 9 and by renumbering succeeding sections accordingly:

Section . . . Whenever, as a result of a hearing under the provisions of this act, the recommendations of the panel indicate any police officer is guilty of a criminal action, the district attorney general may appear before and seek an indictment from the grand jury.

FOR THE SENATE

Senator Joe L. Crockett
Senator Robert O. Burleson
Senator Kenneth N. Springer

FOR THE HOUSE

Representative Bill Covington
Representative Joe Kent
Representative Steve Cobb

Mr. Covington moved that the Report of the Conference Committee on Senate Bill No. 2001 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	86
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--86.

A motion to reconsider was tabled.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

682--To enact "Juvenile Court Restructure Act of 1981."

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**CONFERENCE COMMITTEE REPORT
SENATE BILL NO. 682**

The House and Senate conference committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill 682 House Bill 394 have met and recommend:

- (1) that the Senate amendments and House Amendment #1 be adopted;
- (2) that all other House amendments be deleted; and
- (3) that the following amendments be adopted:

by adding the following section:

Each County with a population of more than twenty thousand (20,000) according to the 1980 or any subsequent federal census may establish a full-time youth services officer to assist the court sitting as a juvenile court in relation to cases coming before the court. Counties with a population of twenty thousand (20,000) or less according to the 1980 or any subsequent federal census may establish a part-time youth services officer.

The youth services officer shall be paid by the county in which he serves and his duties shall include, but are not limited to, the following:

(a) intake duties including to receive and examine complaints and allegations of delinquency and unruly behavior for the purpose of considering the commencement of proceedings;

(b) counseling;

(c) record-keeping and transmitting information as required by this act or by law to the children's services commission or the office

of the executive secretary of the Tennessee Supreme Court;

(d) make investigations, reports and recommendations to the judge having juvenile jurisdiction;

(e) make appropriate referrals to other public or private agencies;

(f) make predisposition studies and submit reports and recommendations to the court as required; and

(g) perform other functions as directed by the court or by law including, but not limited to those set out in Tennessee Code Annotated, 37-206.

AND FURTHER AMEND by deleting the second sentence of Section 3 in its entirety.

AND FURTHER AMEND by inserting between the word "referee" and the word "and" in the first sentence of Section 6 the words "where constitutionally required."

AND FURTHER AMEND by striking Section 14 in its entirety.

Respectfully submitted,

FOR THE SENATE

FOR THE HOUSE

Senator Ed Blank
Senator Curtis Person
Senator John Rucker

Representative Steve Cobb
Representative Michael D. Murphy
Representative Bill Covington

Mr. Cobb moved that the Report of the Conference Committee on Senate Bill No. 682 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	83
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson

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(Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Yelton--83.

Representative present and not voting was: Bell (Knox)--1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2126--To regulate compensation, courts of general sessions.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**REPORT OF THE CONFERENCE COMMITTEE ON
SENATE BILL NO. 2126**

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 2126/House Bill No. 1899 have met and recommend that all of the House Amendments be deleted and that all of the Senate Amendments be deleted.

It is further recommended that the bill be amended by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following new subparts:

() (1) Notwithstanding any other provisions of this section to the contrary, beginning September 1, 1982, the base salaries per year for general sessions judges shall be as follows:

(A) Counties of the first class	\$51,000
(B) Counties of the second class	43,000
(C) Counties of the third class	40,000
(D) Counties of the fourth class	35,000
(E) Counties of the fifth class	26,273
(F) Counties of the sixth class	21,233
(G) Counties of the seventh class	18,699
(H) Counties of the eighth class	17,673

(i) Provided, however, that the base salaries of judges of general sessions courts with multi-county jurisdiction, including any amounts of additional compensation for additional jurisdiction as may be provided by law, shall be increased by \$5,000 and the cost of such increase shall be prorated on a per capita basis between the counties composing such jurisdiction.

(ii) Provided, further, the base salary of any general sessions judge in counties of the second class having a population of not less than fifty four thousand three hundred seventy five (54,375) nor more than fifty four thousand four hundred seventy five (54,475) according to the 1980 federal census or any subsequent federal census shall be thirty four thousand five hundred dollars (\$34,500) a year.

(iii) Provided, further, the base salary of any general sessions judge in counties of the second class having a population of not less than fifty thousand one hundred seventy five (50,175) nor more than fifty thousand two hundred seventy five (50,275) according to the 1980 federal census or any subsequent federal census shall be thirty four thousand five hundred dollars (\$34,500) a year.

(iv) Provided, further, the base salary of any general sessions judge in counties of the seventh class having a population of not less than thirteen thousand seven hundred (13,700) nor more than thirteen thousand seven hundred sixty (13,760) according to the 1980 federal census or any subsequent federal census shall be fifteen thousand dollars (\$15,000) a year.

(2) If a general sessions judge exercises juvenile jurisdiction, the base salary for the judge shall be increased by an amount equal to ten percent (10%) of the base salary. Provided, however, if a nonlawyer general sessions judge exercises juvenile jurisdiction, the supplement established by this subpart shall be applied towards the compensation for services rendered by a lawyer - referee.

(3) If a general sessions judge exercises probate or divorce jurisdiction, the base salary for the judge shall be increased by an amount equal to five percent (5%) of the base salary for each of the types of jurisdiction. Provided, however, no general sessions judge in a county of the sixth, seventh, or eighth class shall receive the salary supplement established by this subpart.

(4) On July 1, 1983, the base salaries fixed herein shall be adjusted in accordance with the provisions of this section to reflect the percentage of change in the average consumer price index (all items-city average) as published by the United States department of labor, bureau of labor statistics, between the

figures for the calendar year 1982 and the calendar year 1981. Each succeeding July 1, a similar adjustment shall be made to the salaries, as adjusted, based upon the percent of change in the average consumer price index between the two (2) calendar years preceding July 1 of the year in which the adjustment is made. The adjustment authorized in this paragraph shall be computed in the following manner:

(A) No adjustment shall be made for a change of from zero percent (0%) to less than five percent (5%) in such consumer price index;

(B) An adjustment of from one percent (1%) to five percent (5%) shall be made for a corresponding change of from five percent (5%) to ten percent (10%) in such consumer price index in the ratio of one to one (1:1) for each one percent (1%), or major fraction thereof, of such change; and

(C) No adjustment shall exceed five percent (5%). Any adjustment authorized by this subsection shall be calculated upon the original base salaries established by this subsection and shall not be calculated using such base salaries plus any previous adjustments.

(5) Any increase in expenditures by a county resulting from the increase authorized herein shall be appropriated from funds that the county receives from the state government that are not earmarked by statute to be spent for a particular purpose.

(6) The provisions of this act shall not be construed as decreasing the salary of a general sessions judge where such salary is established by private act or otherwise. In the event of any conflict between the provisions of this chapter and any private act now in effect or hereafter enacted fixing a higher salary for a judge or judges of a court of general sessions than is herein provided, the provisions of the private act shall control.

(7) Notwithstanding any other provision of law or private act to the contrary, the method of adjusting the base salary of a general sessions judge provided by this section shall be the exclusive method by which such salary is adjusted during such judge's term of office and this section shall be construed as repealing any other method of adjusting general sessions judge's salaries provided by general law or private act.

It is further recommended that the bill be amended by adding the following new sections before the effective date section:

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

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applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION . All general sessions judges shall be required to attend seminars offered for the particular benefit of such judges. Guidelines for such seminars, workshops, and training sessions are to be established by the Executive Secretary of the Tennessee Supreme Court. Provided, however, travel and mileage expenses relative to attendance at such seminars shall be paid on an individual basis by the general sessions judge himself.

It is further recommended that the bill be amended by adding the following new section immediately preceding the final two sections and by renumbering the final two sections accordingly:

SECTION . Notwithstanding any other provision of private act or general law to the contrary, the term of office of any general sessions judge whose base salary is set by the provisions of this act or whose salary is adjusted during such term of office by the method provided by this act of by Tennessee Code Annotated, Section 8-23-103 (e) shall be eight (8) years.

It is further recommended that from the amendatory language of Section 2 of this original bill the words and figures "twenty five thousand (\$25,000) dollars" be deleted, and substitute instead the words and figures "ten thousand dollars (\$10,000)."

It is further recommended that the following new Section be added to the bill before the final two Sections and by renumbering the final two sections accordingly:

SECTION . The general sessions judge in Benton County shall devote full-time to the duties of his office. The Executive Secretary of the Supreme Court shall establish guidelines for what constitutes full-time service.

Respectfully submitted this the 6th day of May, 1982.

FOR THE SENATE

FOR THE HOUSE

Senator Koella
Senator W. H. Ortwein
Senator Ernest Crouch

Representative Michael D. Murphy
Representative Ira H. Murphy
Representative Bill Carter

Mr. Murphy (Davidson) moved that the Report of the Conference Committee on Senate Bill No. 2126 be adopted and made the action of the House.

Mr. Webb moved that the Conference Committee Report be rejected, which motion prevailed by the following vote:

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Ayes	58
Noes	23
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Duer, Ford, Frensley, Harrill, Henry (Roane), Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, McAfee, Martin, Montgomery, Murray, Naifeh, Percy, Pickering, Robinson (Washington), Scruggs, Shirley, Shockley, Sir, Small, Smith, Stafford, Stallings, Sterling, Tanner, Turner, Wallace, Webb, Whitson, Wolfe, Wood, Yelton and Mr. Speaker McWherter--58.

Representatives voting no were: Bell (Wilson), Covington, Davis (Hamilton), DeBerry, Disspayne, Ellis, Hillis, Hurley, King (Shelby), King (Washington), McNally, Miller, Murphy (Davidson), Murphy (Shelby), Owen, Rhinehart, Robertson, Robinson (Hamilton), Severance, Spence, Starnes, Wheeler, Withers--23.

Representative present and not voting was: Bell (Knox)--1.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

292--To amend Section 8-36-702, Code.

The Senate repassed Senate Bill No. 292, the Governor's objections to the contrary notwithstanding. A copy of the Governor's Veto message is attached.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Dear Governor Wilder,

I am returning Senate Bill No. 292 / House Bill No. 518 with my veto.

The Legislative Council on Pensions and Retirement disapproved this bill, but it passed anyway. This rarely happens. I agree with the Council on Pensions and Retirement.

This bill amends the law dealing with the recomputation of retirement benefits. It provides that a retiree's cost of living increases will not be considered when retirement benefits are recomputed following a change in benefits. This will make it extremely difficult to improve the retirement plan in the future because it will add enormously to the cost of each improvement.

This bill is designed to help employees who have already retired. I agree that retired employees should have an adequate pension, but it

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would be better to address this issue on a case by case basis when the Legislature determines what specific changes are needed. This approach will avoid a conflict between the interests of employees who have already retired and employees who plan to retire in the future.

The Legislature deserves much credit for restructuring the retirement system and putting it on a sound basis. I am afraid this would be a step in the opposite direction.

Sincerely,

Lamar Alexander

FURTHER CONSIDERATION OF SENATE BILL NO. 292

Senate Bill No. 292--To amend Section 8-36-702, Code.

Mr. Starnes moved that the House pass Senate Bill No. 292, notwithstanding the objections of the Governor, which motion prevailed by the following vote:

Ayes	51
Noes	25
Present and not voting	3

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bivens, Burnett, Byrd, Carter, Cobb, Covington, Crain, Davidson, Davis (Hamilton), DeBerry, Dills, Disspayne, Ellis, Ford, Hillis, Hurley, Huskey, Jared, Kelley, Kernell, Lashlee, Love, McNally, Miller, Murphy (Davidson), Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shockley, Sir, Stafford, Stallings, Starnes, Turner, Wallace, Webb, Wheeler, Whitson, Wood, Yelton and Mr. Speaker McWherter--51.

Representatives voting no were: Baker, Bewley, Bragg, Chiles, Clark (Sumner), Copeland, Frensey, Henry (Roane), Jones, Kent, King (Washington), McAfee, Martin, Montgomery, Murphy (Shelby), Murray, Robinson (Washington), Scruggs, Shirley, Smith, Sterling, Tanner, Ussery, Withers and Wolfe--25.

Representatives present and not voting were: Brewer, King (Shelby) and Spence--3.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

2118--To regulate leasing of property to blind persons.

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The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**REPORT OF THE CONFERENCE COMMITTEE ON
SENATE BILL NO. 2118**

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 2118/ House Bill No. 2033 have met and recommend that House amendment 1 be deleted.

FOR THE SENATE

FOR THE HOUSE

Senator Douglas Henry, Jr.
Senator Ernest Crouch
Senator Ben Longley
Senator James H. White

Representative Mike Murphy
Representative Paul M. Starnes
Representative Sharon Bell

Mr. Murphy (Davidson) moved that the Report of the Conference Committee on Senate Bill No. 2118 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	72
Noes	8
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Burnett, Byrd, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Spence, Stafford, Stallings, Starnes, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Yelton--72.

Representatives voting no were: Bewley, Carter, Chiles, Frensley, Harrill, Robinson (Washington), Smith and Webb--8.

Representative present and not voting was: Sterling--1.

A motion to reconsider was tabled.

Mr. Sir moved that House Bill No. 2272 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Ms. DeBerry moved that the rules be suspended for the purpose of

considering House Resolution No. 140 out of order, which motion prevailed.

House Resolution No. 140--Relative to continuing Special House Committee on Juvenile Corrections.

Ms. DeBerry moved that House Resolution No. 140 be adopted, which motion prevailed by the following vote:

Ayes	84
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Yelton and Mr. Speaker McWherter--84.

A motion to reconsider was tabled.

House Joint Resolution No. 458--Relative to creating special committee, cultural resources.

Mr. Starnes moved that House Joint Resolution No. 458 be adopted, which motion prevailed by the following vote:

Ayes	85
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--85.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1575--To amend Title 56, Chapter 8, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1575, 1771, 1893, 2253, 2375, 2391, 2400 and 2402; and House Resolutions Nos. 163, 165 and 167; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1575, 1771, 1893, 2253, 2375, 2391, 2400 and 2402; House Resolutions Nos. 163, 165 and 167.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 458; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1752--Miller

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House Bill No. 1895--Kent

House Bill No. 1980--Kent

MOTIONS

On motion of Mr. Stallings, House Bill No. 2411 was withdrawn from the House.

On motion of Mr. Clark (Sumner), House Bill No. 2408 was recalled from the Committee on State and Local Government.

On motion of Mr. Clark (Sumner), House Bill No. 2408 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 33 was recalled from the Committee on State and Local Government.

On motion of Mr. Owen, House Bill No. 33 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 36 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Owen, House Bill No. 36 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 919 was recalled from the Committee on State and Local Government.

On motion of Mr. Owen, House Bill No. 919 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 920 was recalled from the Committee on State and Local Government.

On motion of Mr. Owen, House Bill No. 920 was withdrawn from the House.

On motion of Mr. Owen House Bill No. 921 was recalled from the Committee on Education.

On motion of Mr. Owen, House Bill No. 921 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 922 was recalled from the Committee on Education.

On motion of Mr. Owen, House Bill No. 922 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 1720 was recalled from the Committee on State and Local Government.

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On motion of Mr. Owen, House Bill No. 1720 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 1722 was recalled from the Committee on Education.

On motion of Mr. Owen, House Bill No. 1722 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 1417 was recalled from the Committee on State and Local Government.

On motion of Mr. Owen, House Bill No. 1417 was withdrawn from the House.

On motion of Mr. Owen, House Bill No. 1724 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Owen, House Bill No. 1724 was withdrawn from the House.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2126:--To regulate compensation, Courts of general sessions.

The Senate appointed a new Conference Committee composed of Senators Koella, Crouch and Ortwein.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy (Davidson) moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the difference between the two bodies on Senate Bill No. 2126, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy (Shelby), Murphy (Davidson) and Carter as the Conference Committee on Senate Bill No. 2126.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1752--To regulate billboards; substituted for Senate Bill on same

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subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1739--General Appropriations Bill.

The Senate failed to override the Governor's Veto on Section 53 of House Bill No. 1739.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 1752; and House Resolutions Nos. 168, 169, 171, 174, 175 and 177; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1521, 1579, 1787, 1813 and 2397; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 1752; House Resolutions Nos. 168, 169, 171, 174, 175 and 177; and Senate Bills Nos. 1521, 1579, 1787, 1813 and 2397.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1548, 1592, 1910, 1927, 1947, 2392 and 2397; also, House Joint Resolutions Nos. 451, 453, 455, 456, 459 and 461; all signed by the

Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.: 2126--To regulate compensation, courts of general sessions.

The Senate adopted Conference Committee Report No. 2 and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON
SENATE BILL NO. 2126

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 2126/House Bill No. 1899 have met and recommend that all of the House Amendments be deleted and that all of the Senate Amendments be deleted.

It is further recommended that the bill be amended by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following new subparts:

() (1) Notwithstanding any other provisions of this section to the contrary, beginning September 1, 1982, the base salaries per year for general sessions judges shall be as follows:

(A) Counties of the first class	\$51,000
(B) Counties of the second class	38,941
(C) Counties of the third class	35,867
(D) Counties of the fourth class	30,743
(E) Counties of the fifth class	22,545
(F) Counties of the sixth class	18,446
(G) Counties of the seventh class	16,397
(H) Counties of the eighth class	14,346

(i) Provided, however, that the base salaries of judges of general sessions courts with multi-county jurisdiction, including any amounts of additional compensation for additional jurisdiction as may be provided by law, shall be increased by \$5,000 and the cost of such increase shall be prorated on a per capita basis between the counties composing such jurisdiction.

(ii) Provided, further, the base salary of any general sessions judges in a Class 4 county that is contiguous to a county having a population in excess of 600,000 according to

the 1980 federal census or any subsequent federal census where the judge exercises both juvenile and divorce jurisdiction, such judge's base salary shall be \$35,850 a year.

(iii) Provided, further, if the general sessions judge in counties of the fourth class having a population of not less than 32,600 nor more than 32,700 according to the 1980 federal census of population or any subsequent federal census exercises both juvenile and divorce jurisdiction, the base salary for such judge shall be increased by the amount of five thousand dollars (\$5,000).

(iv) Provided, further, the base salary of any general sessions judge in counties of the second class having a population of not less than eighty-three thousand three hundred (83,300) nor more than eighty-three thousand four hundred (83,400) according to the 1980 federal census of population or any subsequent federal census shall be forty-one thousand seven hundred and seventy dollars (\$41,770) and such judge shall be eligible for the salary supplements provided in item (2) of Section 1 of this act.

(2) If a general sessions judge exercises juvenile jurisdiction, the base salary for the judge shall be increased by an amount equal to ten percent (10%) of the base salary. Provided, however, if a nonlawyer general sessions judge exercises juvenile jurisdiction, the supplement established by this subpart shall be applied towards the compensation for services rendered by a lawyer - referee.

(3) If a general sessions judge exercises either probate or divorce jurisdiction, or both the base salary for the judge shall be increased by an amount equal to five percent (5%) of the base salary. Provided, however, no general sessions judge in a county of the sixth, seventh, or eighth class shall receive the salary supplement established by this subpart.

(4) On July 1, 1983, the base salaries fixed herein shall be adjusted in accordance with the provisions of this section to reflect the percentage of change in the average consumer price index (all items-city average) as published by the United States department of labor, bureau of labor statistics, between the figures for the calendar year 1982 and the calendar year 1981. Each succeeding July 1, a similar adjustment shall be made to the salaries based upon the percent of change in the average consumer price index between the two (2) calendar years preceding July 1 of the year in which the adjustment is made. The adjustment authorized in this paragraph shall be computed in the following manner:

(A) No adjustment shall be made for a change of from zero percent (0%) to less than five percent (5%) in such consumer price index;

(B) An adjustment of from one percent (1%) to five percent (5%) shall be made for a corresponding change of from five percent (5%) to ten percent (10%) in such consumer price index in the ratio of one to one (1:1) for each one percent (1%), or major fraction thereof, of such change; and

(C) No adjustment shall exceed five percent (5%). Any adjustment authorized by this subsection shall be calculated upon the original base salaries established by this subsection and shall not be calculated using such base salaries plus any previous adjustments.

(5) Any increase in expenditures by a county resulting from the increase authorized herein shall be appropriated from funds that the county receives from the state government that are not earmarked by statute to be spent for a particular purpose.

(6) The provisions of this act shall not be construed as decreasing the salary of a general sessions judge where such salary is established by private act or otherwise. In the event of any conflict between the provisions of this chapter and any private act now in effect or hereafter enacted fixing a higher salary for a judge or judges of a court of general sessions than is herein provided, the provisions of the private act shall control.

(7) Notwithstanding any other provision of law or private act to the contrary, the method of adjusting the base salary of a general sessions judge provided by this section shall be the exclusive method by which such salary is adjusted during such judge's term of office and this section shall be construed as repealing any other method of adjusting general sessions judge's salaries provided by general law or private act.

It is further recommended that the bill be amended by adding the following new sections before the effective date section:

SECTION . If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION . All general sessions judges shall be required to attend seminars offered for the particular benefit of such judges. Guidelines for such seminars, workshops, and training sessions are to be established by the Executive Secretary of the Tennessee Supreme Court. Provided, however, travel and mileage expenses relative to attendance at such seminars shall be paid on an individual basis by the general sessions judge himself.

It is further recommended that the bill be amended by adding the following new section immediately preceding the final two sections and by renumbering the final two sections accordingly:

SECTION ____ . Notwithstanding any other provision of private act or general law to the contrary, the term of office of any general sessions judge whose base salary is set by the provisions of this act or whose salary is adjusted during such term of office by the method provided by this act or by the method established by Tennessee Code Annotated, Section 8-23-103(e) shall be eight (8) years.

It is further recommended that from the amendatory language of Section 2 of this original bill the words and figures "twenty five thousand (\$25,000) dollars" be deleted, and substitute instead the words and figures "ten thousand dollars (\$10,000)".

It is further recommended that the bill be amended by adding the following new section before the last two sections:

Section ____ . The general sessions judge of Benton County shall serve full time. The Executive Secretary of the Supreme Court shall establish guidelines for full time service.

Respectfully submitted this the 6 day of May, 1982.

FOR THE SENATE

Senator Ernest Crouch
Senator W. H. Ortwein
Senator Koella

FOR THE HOUSE

Representative Mike Murphy
Representative Bill Carter
Representative I. H. Murphy

Mr. Murphy (Davidson) moved that the Report of the Conference Committee on Senate Bill No. 2126 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	66
Noes	18
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Carter, Cobb, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Hillis, Huskey, Jared, Johnson, Kelley, King (Washington), Lashlee, Love, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Ussery, Webb, Wheeler, Whitson, Wolfe, Wood, Work and Yelton--66.

Representatives voting no were: Byrd, Bewley, Chiles, Covington,

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Davidson, Henry (Roane), Hudson, Hurley, Jones, Kent, Kernell, McAfee, Martin, Shirley, Sterling, Turner, Wallace and Mr. Speaker McWherter--18.

Representative present and not voting was: Bell (Knox).

A motion to reconsider was tabled.

STATEMENT ON SENATE BILL NO. 2126

It is our understanding that a general law like this one controls over a private act that is inconsistent. The supreme court ruled this in 1979.

There is no reasonable basis to treat Hamilton County differently that I know of.

Thus it is our understanding that this bill will control over our private act as far as the general session's judge's salary is concerned.

This statement prepared by Bill Koch at request of members of the Hamilton County delegation as to effect of conflicting private act & general law regarding salary of general sessions judges.

Representative David Copeland

Representative Bill Carter	Representative Bill McAfee
Representative Bob Davis	Representative Paul M. Starnes
Representative Bobby Wood	Representative C. B. Robinson

The Speaker announced that the second roll call would be dispensed with.

INTRODUCTION OF RESOLUTION

House Resolution No. 166--Relative to study, selection of appellate judges--By McKinney.

House Resolution No. 166 was held on the desk.

INTRODUCTION OF BILL

House Bill No. 2412--To provide for litigation tax, Humphreys County--By Pickering and Work.

Passed first consideration.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

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341--Relative to federal Impact Aid funds;

426--Relative to proclaiming "Police Memorial Day";

458--Relative to creating a special joint committee, cultural resources;

467--Relative to study, compensation, General Assembly members;

471--Relative to extension of reporting date, task force on education;

474--Relative to naming National Guard Armory, Pulaski;

480--Relative to erecting monument, Tennessee Vietnam Veterans;

481--Relative to naming Tennessee building, World's Fair;

482--Relative to urging Department of Transportation, erect certain signs;

493--Relative to commending Dogan W. Williams;

494--Relative to honoring Cecil Hilgie Butcher, Jr.; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

464--Relative to commending Office of Legal Services;

465--Relative to commending certain legislative employees;

466--Relative to memory, Dr. E. E. Deusner;

468--Relative to honoring James Hanner;

469--Relative to congratulating John Seigenthaler;

470--Relative to honoring Representative Sharon Bell;

472--Relative to expressing appreciation, Representative Clifford "Bo" Henry;

473--Relative to expressing appreciation, Representative Brad Martin;

475--Relative to congratulating Mrs. Barbara Mann;

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- 476--Relative to honoring John Ribble;
- 477--Relative to commending T.S.U. Alumni Association;
- 478--Relative to congratulating Dr. Glenn C. Shultz;
- 479--Relative to congratulating Dr. Fred M. Valentine, Jr.;
- 483--Relative to commending Jake F. Butcher;
- 484--Relative to memory, Jeff Hester;
- 485--Relative to memory, W. Hance Lassiter;
- 486--Relative to congratulating Jack Gunter;
- 488--Relative to congratulating Kathy Roberts;
- 489--Relative to congratulating Representative and Mrs. Chris Turner;
- 490--Relative to memory, Dr. William Jackson;
- 491--Relative to congratulating Dixie Ponytail Softball team; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1575, 1752, 1771, 1893, 2204, 2253, 2324, 2375, 2384, 2391, 2400 and 2402; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MOTIONS

On motion of Mr. Miller, House Bill No. 363 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Miller, House Bill No. 363 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 567 was recalled from the Committee on State and Local Government.

On motion of Mr. Miller, House Bill No. 567 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1132 was recalled from the Committee on Calendar and Rules.

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On motion of Mr. Miller, House Bill No. 1132 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1133 was recalled from the Committee on State and Local Government.

On motion of Mr. Miller, House Bill No. 1133 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1137 was recalled from the Committee on State and Local Government.

On motion of Mr. Miller, House Bill No. 1137 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1138 was recalled from the Committee on State and Local Government.

On motion of Mr. Miller, House Bill No. 1138 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1139 was recalled from the Committee on Transportation.

On motion of Mr. Miller, House Bill No. 1139 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1479 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Miller, House Bill No. 1479 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1497 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Miller, House Bill No. 1497 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1498 was recalled from the Committee on Commerce.

On motion of Mr. Miller, House Bill No. 1498 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1598 was recalled from the Committee on State and Local Government.

On motion of Mr. Miller, House Bill No. 1598 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1600 was recalled from the Committee on State and Local Government.

On motion of Mr. Miller, House Bill No. 1600 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 1676 was recalled from the Committee on Judiciary.

On motion of Mr. Miller, House Bill No. 1676 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 2069 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Miller, House Bill No. 2069 was withdrawn from the House.

On motion of Mr. Miller, House Bill No. 2164 was recalled from the Committee on State and Local Government.

On motion of Mr. Miller, House Bill No. 2164 was withdrawn from the House.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2170--To amend Section 62-617, Code.

The Speaker appointed a Conference Committee composed of Senators Longley, Blank and Crockett to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 2170.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2436--To amend Chapter 135, Private Acts 1971.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SELECT COMMITTEE APPOINTMENTS

The Speaker announced that he had appointed the following committee to notify the Senate that the House had completed its business for this session and was ready to adjourn sine die: Mr. Richardson, Chairman; Messrs. Lashlee, Robertson, Ford, Miss DeBerry

and Mrs. Robinson (Washington).

The Speaker announced that he had appointed the following committee to notify the Governor that the House had completed its business for this session and was ready to adjourn sine die: Mr. Martin, Chairman; Messrs. Duncan, Carter, Small, Akard, Byrd, Brewer and Miss Bell (Knox).

REPORT OF SELECT COMMITTEES

Mr. Richardson advised the House that the Senate had been notified that the House had completed its business for this session and was ready to adjourn sine die.

Mr. Martin advised the House that the Governor had been notified that the House had completed its business for this session and was ready to adjourn sine die, and that the Governor stated that he had no further communications to transmit to the House.

Senator Darnell advised the House that the Senate had completed its business for this session and was ready the adjourn sine die.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed by the Senate to notify the House that the Senate has completed its business and is ready to adjourn sine die in accordance with Senate Joint Resolution No. 280.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ARTICLE III, SECTION 18

CONSTITUTION OF TENNESSEE

All bills and joint resolutions presented to the Governor subsequent to April 26, 1982, being within ten days of the adjournment of the Second Regular Session of the Ninety-second General Assembly, prevents the return of said bills and joint resolutions to the House within the ten day period, and accordingly, the final action taken by the Governor will be filed by him in the Secretary of State's Office, all in compliance with Article III, Section 18, relating to the Governor's veto power, of the Constitution of the State of Tennessee.

JOURNAL APPROVED

On motion of Mr. Burnett, the Journal of the House of Representatives and the proceedings thereof were approved from the Sixty-first through the Ninetieth Day of the Second Regular Session.

Thereupon, Mr. Speaker McWherter declared the House of Representatives of the Ninety-Second General Assembly adjourned sine

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die in accordance with Senate Joint Resolution No. 280.

**BILLS AND RESOLUTIONS ENROLLED, SIGNED AND
TRANSMITTED TO GOVERNOR SUBSEQUENT TO
ADJOURNMENT SINE DIE**

MAY 7, 1982

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1548, 1575, 1592, 1752, 1771, 1893, 1910, 1927, 1947, 2204, 2253, 2324, 2375, 2384, 2391, 2392, 2397, 2400 and 2402; and House Joint Resolutions Nos. 451, 453, 455, 456, 459 and 461; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 7, 1982

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 140, 170, 172, 173 and 176; and House Joint Resolutions Nos. 341, 426, 458, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 488, 489, 490, 491, 493 and 494; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 11, 1982

SIGNED

The Speaker announced that he had signed the following: House Resolutions Nos. 140, 170, 172, 173 and 176; and House Joint Resolutions Nos. 341, 426, 458, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 488, 489, 490, 491, 493 and 494.

MAY 11, 1982

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 252, 1164, 1467, 1473, 1485, 1563, 1570, 1639, 1657, 1817, 2008,

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2118, 2131, 2229 and 2452; also, Senate Joint Resolutions Nos. 204, 210, 247, 262, 264, 265, 266, 272, 276, 277, 280, 281, 282, 283, 284, 285, 286 and 287; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 11, 1982

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 252, 1164, 1467, 1473, 1485, 1563, 1570, 1639, 1657, 1817, 2008, 2118, 2131, 2229 and 2452; and Senate Joint Resolutions Nos. 204, 210, 247, 262, 264, 265, 266, 272, 276, 277, 280, 281, 282, 283, 284, 285, 286 and 287.

MAY 11, 1982

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 682, 1419, 1587, 1662, 1702, 1927, 2001, 2072, 2126, 2153 and 2214; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 12, 1982

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 682, 1419, 1587, 1662, 1702, 1927, 2001, 2072, 2126, 2153 and 2214.

MAY 12, 1982

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 476 and 483; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 12, 1982

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have

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transmitted to the Governor the following: House Joint Resolutions Nos. 476 and 483; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 14, 1982

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 341, 426, 458, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 477, 478, 479, 480, 481, 482, 484, 485, 486, 488, 489, 490, 491, 493 and 494; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 14, 1982

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 341, 426, 458, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 477, 478, 479, 480, 481, 482, 484, 485, 486, 488, 489, 490, 491, 493 and 494; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

NED R. McWHERTER, Speaker
House of Representatives

ATTEST:

DAVID H. WELLES
Chief Clerk
House of Representatives

Appendix of House Bills and House Joint Resolutions presented to the Governor with his action thereon as recorded in the Office of the Secretary of State, in accordance with Article III, Section 18 of the Constitution of the State of Tennessee.

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MESSAGES FROM GOVERNOR TO SECRETARY OF STATE

MAY 12, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Joint Resolutions Nos. 476 and 483 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 12, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1548, 1575, 1592, 1771, 1893, 1910, 1927, 1947, 2204, 2324, 2384, 2391, 2392, 2397, 2400 and 2402; and House Joint Resolutions Nos. 451, 453, 455, 456, 459 and 461; with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 13, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1752 and 2253 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 19, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Joint Resolutions Nos. 341, 458 and 467 without his signature.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

House Joint Resolutions Nos. 341, 458 and 467 become effective

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without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

MAY 19, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bill No. 2375 without his signature; message attached.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

Dear Mr. Secretary,

I am returning House Bill No. 2375/Senate Bill No. 2416 without my signature.

This is a local bill which would enable Roane County to establish a severance tax on sand, gravel, limestone and other materials mined in Roane County.

The increasing number of local severance tax bills being passed concerns me because I think the State should have a consistent policy regarding severance taxes. This policy should recognize the interests of the State, its counties, its industries and its citizens. Developing this policy will be more difficult if each taxing jurisdiction is proceeding in its own unique direction.

In normal circumstances, I would veto this bill. However, out of deference to the sponsors, I am allowing the bill to become law without my signature. I am doing so because the sponsors have assured me that they will work with me next year in developing a uniform, state-wide severance tax policy.

Sincerely,

Lamar Alexander

House Bill No. 2375 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

MAY 19, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Joint Resolutions Nos. 426, 464, 465, 466, 468, 469, 470, 471, 472, 473 and

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474 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 25, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Joint Resolutions Nos. 475, 477, 478, 479, 480, 484, 485 and 486 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 26, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Joint Resolutions Nos. 488, 489, 490, 491, 493 and 494 with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MAY 27, 1982

MESSAGE FROM THE GOVERNOR

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 481 and 482 without his signature.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

House Joint Resolutions Nos. 481 and 482 become effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.